

GENERAL WAIVER COVER SHEET
CALIFORNIA STATE BOARD OF EDUCATION
JULY 2003 AGENDA
Item No. W-5

TITLE: Request by the Yucaipa-Calimesa Joint Unified School District for a waiver of <i>Education Code</i> (EC) Section 48661(a) relating to the placement of a community day school on the same site as a junior high school. CDSIS: 17-5-2003	<u> X </u> ACTION <u> </u> INFORMATION <u> </u> PUBLIC HEARING <u> </u> CONSENT
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RECOMMENDATION:

The Department recommends:

☒ Approval

☐ Denial

Summary of Previous State Board of Education Discussion and Action:

The Board has approved several similar requests in the past to allow the co-location of a community day school with a comprehensive school when the district has been able to provide for the separation of students from the two schools.

Summary of Key Issue(s):

The Yucaipa-Calimesa Joint Unified School District requests a waiver of *Education Code* Section 48661(a) which states that a community day school (CDS) shall not be situated on the same site as a junior high school.

The district conducted an extensive search of facilities owned by the district and in the community. The district has certified that no appropriate separate facilities are available. The site was selected as providing the greatest possible separation from other school classrooms and students.

The district proposes that the Community Day School be located on a remote section of a middle school campus. The campus also houses two special education classrooms. Additionally, students receiving instruction through independent study meet for one hour each week on campus with their advisors.

The district maintains that the students in the CDS will be completely separated from the middle school students at the site, through physical barriers, scheduling, and extensive supervision. First, there will be a principal assigned full time to the Community Day School site. Second, there will be two 3-¾ hour campus monitors assigned to the Community Day School. Third, the starting and ending times for the various programs will be staggered, so students will be coming and going at different times. Fourth, students will be met as they arrive by campus monitors, and campus monitors will escort them as they leave the campus. Fifth, students will be supervised to and from the bathroom, and at breaks and lunch. Sixth, a fence will be up and around the Community Day School classrooms, with one gate for ingress and egress. Seventh, the part of the campus being used for the Community Day

School is an area of the site that will not be used by the general student population of the comprehensive school. The reason for this is that due to reconfiguration; what is presently an 8th and 9th grade campus will only be a 9th grade campus starting in the 2003-04 school year. The student population will be cut in half leaving many of the portable classrooms unused, serving as a substantial "buffer zone" between the Community Day School and the junior high school.

The local school board and the Yucaipa Junior High School Site Council both voted unanimously to support the waiver request. The certificated and classified bargaining units also support the waiver request. Additionally, the district Coordinating Psychologist, who oversees all special education programs for the district, has submitted a letter in support of the waiver. While the District believes that the measures described above will provide a very high level of safety, the district requests, and the CDE recommends, approval of the waiver for one year, allowing for re-evaluation before renewal is considered.

Bargaining unit(s) consulted on: 4/8/03

Position of bargaining unit:

☐

Neutral

☒

Support

☐

Oppose

Name of bargaining unit representatives: Steve Cady (YCEA), Ben Valdepena (CSEA)

Public hearing identified by:

☒

posting in a newspaper

☒

posting at each school

☐

other

(specify)

Public hearing held on: 5/6/03

Local board approval date: 5/6/03

Advisory committee(s) consulted: Yucaipa Junior High School Site Council

Objections raised (choose one): ☒ None ☐ Objections are attached on separate sheet

Date consulted: 4/8/03

Effective dates of request: 8/1/03 – 8/1/04

Fiscal Analysis (as appropriate): N/A

Background Information: Documentation is attached to this Summary.